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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

PHILLIP HEISS,
Plaintiff,

CV # 04-999-HA

vs.

ORDER

COMMISSIONER of Social Security,
Defendant.

Attorney fees in the amount of \$30,888.78 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds this is a reasonable fee. Previously, this court awarded \$6,200.00, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the § 406(b) check, the agency is directed to subtract the amount previously awarded under the EAJA, and to send to Plaintiff's attorney **at his current address shown above** the balance of \$24,688.78, minus any user fee. Any amount withheld (including the EAJA fee offset) after all administrative and court attorneys fees are paid should be released to the claimant.

DATED this 4 day of January, 2010.


United States District Judge

Presented by:
s/ Tim Wilborn, OSB # 944644
(503) 632-1120
Attorney for Plaintiff